

REMARKS

The Examiner rejected former claims 49-89 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 49-84 of copending Application No. 10/287,237. On June 21, 2005, Applicant submitted a Terminal Disclaimer regarding Application No. 10/287,237. Applicant submits that the Terminal Disclaimer overcomes the double patenting rejection of former claims 49-89.

Applicant canceled claims 49-89 and added new claims 90-160 in the Preliminary Amendment mailed on June 21, 2005. Applicant submits that these pending claims are allowable over the cited art of record. Applicant requests a Notice of Allowability of these pending claims.

Respectfully submitted,
FAY, SHARPE, FAGAN, MINNICH & McKEE

By: 

BRIAN E. TURUNG
Reg. No. 35,394
1100 Superior Avenue, 7th Floor
Cleveland, Ohio 44114-2579
Telephone: (216) 861-5582
Facsimile: (216) 241-1666